

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: FRANK FRANZO and	:	CHAPTER 13
LINDA SUSAN FRANZO	:	
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
FRANK FRANZO and	:	
LINDA SUSAN FRANZO	:	
Respondent(s)	:	CASE NO. 5-20-bk-03239

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 29th day of January, 2021, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon the Means Test calculation and specifically disputes the following amounts:

- a. Plan payment calculation sum of Lines 34, 35, 36 45 – plan payment is less than MDI. See, Line 45.
- b. Change of circumstance income increase – compare Schedule I.

2. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:

- a. Proof of Claim for New Jersey Division of Unemployment Insurance.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.

- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

BY: /s/Agatha R. McHale  
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 29th day of January, 2021, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Roger Mattes, Jr., Esquire  
324 North Washington Avenue  
Scranton, PA 18503

/s/Deborah A. Behney  
Office of Charles J. DeHart, III  
Standing Chapter 13 Trustee2